

GOVERNMENT OF WEST BENGAL
SCHEDULED CASTES AND TRIBES WELFARE DEPARTMENT

NOTIFICATION

No. 1282-TW, dated the 25th August, 1953. In exercise of the power's conferred by Sub-paragraph (3) of paragraph 4 of the Fifth Schedule to the Constitution of India, the Governor is pleased to make the following rules, namely: -

The West Bengal Tribes Advisory Council Rules, 1953.

RULES

1. Those rules may be called the West Bengal Tribes Advisory Council Rules, 1953;
2. Those rules shall come into force at once;
3. In those rules, unless there is anything repugnant in the subject or context, -
 - (a) 'Assembly' means the West Bengal Legislative Assembly;
 - (b) 'Governor' means the Governor of West Bengal;
 - (c) 'Council' means members of the West Bengal, Tribes Advisory Council;
4. (a) The West Bengal Tribes Advisory Council (hereinafter referred to as the Council) shall consist of the following Members, -
 - (i) The Minister of State-in-Charge of Scheduled Castes and Tribes Welfare Department, West Bengal, who shall be the ex-officio Chairman of the Council.
 - (ii) Fifteen Scheduled Tribe representatives of the Legislative Assembly of West Bengal to be nominated by the State Government.
 - (iii) Three members to be nominated by the Governor in accordance with the provisions of Sub-rule (d) and
 - (iv) One Member of Parliament from a Scheduled Tribe constituency in West Bengal to be nominated by the State Governor.
 - (b) The Director of Scheduled Castes and Tribes Welfare and ex-officio Deputy Secretary, Scheduled Castes and Tribes Welfare Department, shall be the Secretary to the Council
 - (c) The names of the members including the Chairman and the Secretary shall be published in the official Gazette.
 - (d) The members to be nominated by the Governor under clause (iii) of Sub-rule (a)
 - (a) Shall be such as in the opinion of the Governor have special knowledge and experience of the needs and problems of the Scheduled Tribes.
 - (b) The Council, unless earlier dissolved by the Governor, shall continue until the dissolution of the Assembly and shall be re-constituted as soon as possible after each General Election.

5. (a) The Council shall ordinarily meet once in every six months at such places and on such dates as the Chairman may appoint;
(b) The Chairman shall preside at every meeting of the Council;
6. (a) (i) A Scheduled Tribe member nominated in Clause (ii) of the Sub-rule (a) of rule 4, who ceases to be a member of the Assembly, shall ipso facto cease to be member of the Council.
(ii) A Scheduled Tribe member nominated in clause (iv) of the Sub-rule (a) of rule 4, who ceases to be a member of Parliament, shall ipso facto cease to be a member of the Council.
(b) A nominated member may, at any time, resign his office by addressing a written application to the Chairman;
(c) If member occurs in the seat of a member of the Council, the vacancy shall be filled mutatis mutation is in the manner presided serial Sub-rule (c) and (d) of rule 4.
7. No of candidates of the Council shall be called question merely by reason at any vacancy in its membership.
8. The Chairman shall have the right to invite any person to participate in the jobsites of the Council, but such person shall not have the right to vote.
9. For attention a meeting of the Council, the members shall be entitled total travelling allowances as follows: -
 - (a) Official members shall draw such travelling allowances as are possible under the rules applicable to them;
 - (b) Non-official members other than MLA will be entitled to draw mileage allowance at rates admissible to a first grade officer and daily allowance @ Rs. 10.00 per diem for the days of meeting held in Calcutta or elsewhere and also for the days intervening the dates of meetings provided they are required to stay in Calcutta or other place for attending the meetings of the said Council.

Provided further that for attending a meeting in Calcutta during a session of the West Bengal Legislature such of the non-official members as are also members of the Legislature and draw the allowances admissible to them as such shall not be entitled to any travelling allowances under these rules;
 - (c) Members of the Council, who are members of the Legislative Assembly shall be entitled to draw their daily allowance and conveyances allowances at the same scale and rate as are admissible to them under the Bengal Legislative Assembly (Members Allowances) Rules, 1959, as amended fromth
10. A notice containing the agenda for each meeting of the council shall be circulated by the Secretary to the members at least fifteen days before the date fixed for the meeting.
11. Six members shall from a quorum, and if, at any time there is no quorum, the meeting shall be adjourned.

12. The decision of the Council any matter shall be determined by a majority of Votes and in this case of an equality of Votes, the Chairman shall have a casting vote in addition to his own;
13. A record of the proceedings of the meetings shall be up and entered in a book and shall be signed by the Secretary. Copies of such proceedings shall be sent